

13 Wednesday, June 8, 2016

15               Whereupon, the above-referenced matter  
16    came on for hearing at the Alcoholic Beverage  
17    Control Board, Reeves Center, 2000 14th Street,  
18    N.W., Suite 400S, Washington, D.C. 20009.

1 BOARD MEMBERS PRESENT

2 NICK ALBERTI, BOARD MEMBER

3 RUTHANNE MILLER, BOARD MEMBER

4 JAMES SHORT, BOARD MEMBER

5 MIKE SILVERSTEIN, BOARD MEMBER

6

7 ALSO PRESENT:

8 ALLEN TUBIS

9 KEVIN PUENTE

10

1 P R O C E E D I N G S

2 SHOW CAUSE HEARING (STATUS)

3 CHAIRPERSON ANDERSON: The next matter is  
4 we also have another Fact Finding Hearing for,  
5 again, June 25th through 26th, 2016, the event  
6 Barbecue Battle, applicant Allen Tubis on behalf  
7 of the Barbecue Battle, Inc. Can you please  
8 identify yourself for the record, please?

9 MR. TUBIS: My name is Allen Tubis. I am  
10 with the Giant Barbecue Battle.

11 MR. PUENTE: I'm Kevin Puente,  
12 investigator.

13 CHAIRPERSON ANDERSON: Mr. Tubis, can you  
14 tell us -- would you like to provide some  
15 information about this event?

16 MR. TUBIS: Yes, this is the 24th year of  
17 the Barbecue Battle. For 23 years it was  
18 sponsored by Safeway Supermarkets. Safeway was  
19 bought out by Albertsons and as a result Giant  
20 Supermarkets is now the sponsor of the event,  
21 that's why it's called the Giant Barbecue Battle.  
22 We have raised over 1.7 million dollars for

1 district charities. This year our focus is the  
2 USO and the Capitol Area Food Bank. We are a  
3 two-day event. We've been around for a while.  
4 We serve barbecue, grilled food items. We have a  
5 ton of free food samples at our event. We have  
6 music stages. We market as a family-oriented  
7 event and that's pretty much our crowd.

8 We do not sell a lot of alcohol, we do  
9 not sell a lot of beer or a lot of wine. We sell  
10 over 2 to 1 nonalcoholic beverages compared to  
11 alcohol, but because we do have families and the  
12 dads and mothers and other people there we want  
13 to make it available to them if they want it. We  
14 have a system in place that's been very  
15 successful.

16 I've been a TIPS trainer for 11 years. I  
17 train our ID checkers, we've been in compliance  
18 for a very long time. I'm also the overall  
19 manager. I make sure that all the TIPS people  
20 are there, they've checked in and we have  
21 adequate areas. We use a barrier wrap around our  
22 beverage garden areas. We have multiple -- I

1 think we're going to have one or two MPD officers  
2 around those areas at all times. We have -- I've  
3 ordered for this year our updated ID check  
4 handbooks for 2016 so all of our ID checkers will  
5 have ID check handbooks if you're not familiar  
6 with the type of ID. Everyone is issued a 21-  
7 over wrist band and they have to keep the wrist  
8 band on. If they want another drink they have to  
9 be re-ID'd even if they have a wrist band to make  
10 sure it was put on by us.

11 TIPS training material will be given to  
12 everyone who is TIPS trained and the ID checkers.  
13 This is theirs to keep. They're welcome to take  
14 it with them. They actually get a two-year  
15 certification because the TIPS program is -- it's  
16 good for two years, so we have some people who  
17 we trained last year and some new ones, some  
18 Pepco employees, I'm going to be training a group  
19 of them. But everyone will have this in advance,  
20 they can take it home and review it and get  
21 information. It's a wonderful program.

22 CHAIRPERSON ANDERSON: Have there been

1 any changes in the location of the event from  
2 last year.

3 MR. TUBIS: No, the event is where the  
4 event has been in the past. What is changed is  
5 we've reduced -- again, we don't sell a ton of  
6 alcohol at our event because that's not the main  
7 focus, the main focus is the food and the music  
8 and the cooking, we produce a number of beer  
9 garden areas. At one time we had five, this year  
10 we only have three, and we've consolidated them  
11 all over to the areas near our music stages, so  
12 that's really the only change. We've actually  
13 reduced our serving areas and consolidated a  
14 little bit.

15 CHAIRPERSON ANDERSON: Mr. Puente?

16 MR. PUENTE: Mr. Allen answered all my  
17 questions.

18 CHAIRPERSON ANDERSON: I'm sorry?

19 MR. PUENTE: Mr. Allen answered all my  
20 questions.

21 CHAIRPERSON ANDERSON: Do we have any  
22 questions by any Board members? Yes, Mr. Short.

1           MR. SHORT: I'd just like to make a  
2 comment. We're familiar with your event.

3           MR. TUBIS: Thank you, sir.

4           MR. SHORT: And several organizations  
5 which I'm going to -- always have volunteers for  
6 your event. I wish you good weather and thank  
7 you for being a great --

8           MR. TUBIS: I have one question, if I  
9 could ask? Just, you know, obviously we want to  
10 be in compliance. I have a 17-year-old son and  
11 I'm hoping that wherever he goes he's checked.  
12 He's a good kid but kids do make wrong judgments  
13 and try sometimes to do things they're not old  
14 enough to do, so I carry that over into the event  
15 to make sure that, you know, everyone is 21 and  
16 over, and we stay in compliance because we want  
17 to do the right thing but also because legally we  
18 have to, but I'm just wondering, this year our  
19 inspector fees doubled. They increased the hours  
20 and to five inspectors. I don't know if that's  
21 because they assumed we'd have five stations. I  
22 just wanted to ask someone what the idea -- you

1 know, if -- how would I even request information  
2 on that? Should I -- is there any department or  
3 somebody I can go -- because I don't understand  
4 that.

5 MR. SHORT: Repeat that please. Because  
6 I --

7 MR. TUBIS: When we get our DCRA permit  
8 in order to finalize the permit they check with  
9 the other agencies to make sure they have enough  
10 inspectors, the health department, the building  
11 department check our tents, and ABRA. And this  
12 year the -- and then they say 'okay, you're going  
13 to have so many inspectors there for the health  
14 department, here's the fee per hour, there are  
15 these hours here, it's going to be \$2000 or  
16 whatever it's going to be for the inspectors.

17 This year our bill from ABRA, last year I  
18 think it was around \$3000. This year it was like  
19 \$6000 and they increased the hours to the numbers  
20 tremendously and I didn't know -- is there  
21 anything I'm not -- any reason? I just don't  
22 know. I didn't even know who to ask really about



1   that.  Is that a DCRA issue?  Is that an ABRA?  
2   Again, I just don't know if they're thinking  
3   we're five stations and we have, you know,  
4   because I mean you have more than enough people.  
5   Whatever.  This is your, obviously.  Whatever is  
6   properly due, but I just didn't know if that was  
7   an error or if that is correct and if there's  
8   anything.

9               MR. SILVERSTEIN:  Are you saying --  
10   everything doubled?

11              MR. TUBIS:  Just about, yeah.  I mean,  
12   DCRA actually made a comment, they said 'wow,'  
13   they said, 'the hours and' -- I don't know if it  
14   was just a mistake on whoever called over the  
15   information to DCRA because it's normally just  
16   DCRA checks with the agencies.  They say 'okay,  
17   how many people and what hours?' and they figure  
18   it out.

19              MR. SILVERSTEIN:  For clarification, the  
20   ABRA prices went up, doubled.

21              MR. TUBIS:  They went up what?  I'm  
22   sorry.

1           MR. SILVERSTEIN: Was it just the ABRA  
2 prices or were the DCRA --

3           MR. TUBIS: No, I think it's the amount  
4 of people and hours went up tremendously, well  
5 compared to last year. Again, I just don't know  
6 if they assumed we were having five stations. We  
7 have nonalcoholic stations, so I'm just  
8 wondering, is there anyone I could, you know,  
9 just ask and say 'okay, can you explain to me  
10 what -- how they determined this?'

11           MR. SILVERSTEIN: I'd say check with our  
12 staff they can help you with that.

13           MR. TUBIS: Would that be the office next  
14 door?

15           CHAIRPERSON ANDERSON: Yeah, what we'll  
16 do is that the Board has no idea -- we can't  
17 respond to your question but Mr. Craig Stewart  
18 who is at the back of the room, after the end of  
19 the hearing you can address those concerns with  
20 him. All we have here is the cost we're not.

21           MR. TUBIS: I'm not -- unless it's a  
22 mistake, absolutely -- whatever it is we want to

1 do -- but I want to make sure it wasn't just a  
2 clerical.

3 CHAIRPERSON ANDERSON: He'll be able to  
4 talk to you.

5 MR. TUBIS: I appreciate that, thank you.  
6 That helps very much.

7 CHAIRPERSON ANDERSON: And whatever  
8 concerns or questions that you have, if it's a  
9 mistake then the agency will correct it. If it's  
10 not, then that's what it is.

11 MR. TUBIS: Okay, I really appreciate  
12 that, thank you.

13 CHAIRPERSON ANDERSON: You're welcome.  
14 Any other questions by any other Board members?  
15 Hearing none, then I make a motion that this  
16 event be approved. Is there a second?

17 MR. SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has  
19 seconded the motion. Those in favor say Aye.  
20 [Chorus of ayes] Those opposed? The matter  
21 passed 4-zero-zero. Good luck, sir, with your  
22 event, and as everyone says, great weather, and

1   you can apply for your license today.

2               MR. TUBIS:   Thank you so much.

3               CHAIRPERSON ANDERSON:   You get your

4   license today.   The Board is in recess for about

5   15 minutes.   All right thank you.

6   (Whereupon, the above-entitled matter was

7   concluded.)

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